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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

FEB 26 2002

TECH CENTER 1600/2900

Applicant:	Kalchman et al.
Serial No.:	09/701,205 -
	Docket No.: MC010PI
Filed:	November 27, 2000
For:	APOPTOSIS MODULATORS THAT INTERACT WITH THE HUNTINGTON'S DISEASE GENE

Art Unit: 1655

Examiner: Lu

Assistant Commissioner for Patents  
Washington, DC 20231

**PRELIMINARY AMENDMENT**

Sir:

Prior to examination on the merits of the above-identified application, please enter the following amendments. Contained herein are responses to the Restriction Requirement and Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued November 27, 2001. Enclosed herewith is a new Sequence Listing in paper and computer readable form. Also enclosed herewith is a Petition for the Extension of Time.

**IN THE SPECIFICATION:**

Please replace the old Sequence Listing with the new Sequence Listing enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

**MERCK & CO., INC.**

By Harvey York Date Jan 24, 2002

02/26/2002 BNGUYEN1 00000091 132755 09701205  
01 FC:115 110.00 CH

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PATENT  
CASE NO. MC010PI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Assistant Commissioner for Patents  
Washington, D.C. 20231

In re application of: KALCHMAN, ET AL.

FEB 26 2002

Serial No. 09/701,205

Filed November 27, 2000

TECH CENTER 1600/2900

Group Art Unit 1655

Examiner Lu

For: APOPTOSIS MODULATORS THAT INTERACT WITH THE  
HUNTINGTON'S DISEASE GENE

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>7</u>	-	** <u>20</u> =	<u>0</u> X	\$18	= <u>0.00</u>
Independent Claims	* <u>1</u>	-	*** <u>7</u> =	<u>0</u> X	\$84	= <u>0.00</u>
Multiple Dependent Claims					\$280 ****	= <u>      </u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0.00

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

\*\*\*\* Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 0.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

By Nancy York Date Jan 24, 2002  
MERCK & CO., INC.

Respectfully,

Joseph A. Coppola

By: Joseph A. Coppola

Attorney for Applicant(s)

Reg. No. 38,413

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-6734

Date: JAN. 24, 2002

IN DUPLICATE

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Approved for use through 10/31/2002. OMB 0651-0032  
U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE  
SUBSTITUTE for PTO/SB/17(09-00) "FEE TRANSMITTAL for FY 2000"

1655 \$  
box  
2/24

# FEE TRANSMITTAL

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$110

Complete if Known

Application Number	09/701,205
Filing Date	November 27, 2000
First Named Inventor	Kalchman, et al.
Examiner Name	Lu
Group Art Unit	1655
Attorney Docket Number	MC010PI

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## METHOD OF PAYMENT (Check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 13-2755

Deposit Account Name Merck & Co., Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	Utility filing fee	
106	330	Design filing fee	
108	740	Reissue filing fee	
114	160	Provisional filing fee	
SUBTOTAL(1)			\$0

### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	20	0	0
Independent Claims	3	0	0
Multiple Dependent Claims		\$280	

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 and over original patent
SUBTOTAL(2)		

\$0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
147	2,520	For filing a request for reexamination	
115	110	Extension for reply within first month	110
116	400	Extension for reply within second month	
117	920	Extension for reply within third month	
118	1,440	Extension for reply within fourth month	
128	1,960	Extension for reply within fifth month	
119	320	Notice of Appeal	
120	320	Filing a brief in support of an appeal	
121	280	Request for oral hearing	
140	110	Petition to revive - unavoidable	
141	1,280	Petition to revive - unintentional	
142	1,280	Utility issue fee (or reissue)	
143	460	Design issue fee	
122	130	Petitions to the Commissioner	
123	50	Petitions related to provisional applications	
126	180	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property (times number of properties)	
146	740	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	Request for Continued Examination (RCE)	
Other fee (specify)			
Other fee (specify)			
SUBTOTAL(3)			\$110

## SUBMITTED BY

Typed or Printed Name Joseph A. Coppola

Signature Joseph A. Coppola

Date

JAN. 24, 2002

## Complete (if applicable)

Reg. Number 38,413

Deposit Account User ID

Application Number: 09/701,205

Filing Date: 11/27/2000

First Named Inventor: Kalchman, et al.

Group Art Unit: 1655

Examiner Name: Lu

Attorney Docket Number: MC010PI

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**FIRST CLASS MAIL CERTIFICATE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

**MERCK & CO., INC.**

MAILED BY

Nancy York

DATE

January 24<sup>th</sup> 2002